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*Changes to legislation: There are currently no known outstanding effects for the  
Local Government Finance Act 2012, Part 2. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 4

#### AMENDMENTS RELATING TO COUNCIL TAX REDUCTION SCHEMES

#### PART 2

#### OTHER AMENDMENTS

#### *LGFA 1988*

- 2 In Part 1 of Schedule 11 to the LGFA 1988 (the Valuation Tribunal for England), after paragraph A18 insert—

*“Power for member of First-tier Tribunal to act as member of the Tribunal*

- A18A (1) A member of the First-tier Tribunal (an “FTT member”) may act as a member of the Valuation Tribunal for England.
- (2) An FTT member may only act as a member of the Tribunal—
- (a) at the request of the President and with the approval of the Senior President of Tribunals,
  - (b) in relation to an appeal that relates, in whole or in part, to a council tax reduction scheme made or having effect as if made by a billing authority in England, and
  - (c) if the FTT member is not disqualified from being, or acting as, a member of the Tribunal.
- (3) A request under sub-paragraph (2)(a)—
- (a) may relate to a particular appeal or to appeals of a particular kind,
  - (b) may be made only if the President thinks that FTT members are likely to have particular expertise that is relevant to the determination of the appeal, or to appeals of the kind, to which it relates.
- (4) An approval under sub-paragraph (2)(a) may relate to a particular appeal or to appeals of a particular kind.
- (5) The President may withdraw a request at any time; and an FTT member acting as a Tribunal member in response to a request must cease to do so if it is withdrawn.
- (6) References in this Schedule and in regulations made under paragraph A19 to a member of the Tribunal include an FTT member acting as a member of the Tribunal.

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- (7) But sub-paragraph (6) does not apply—
- (a) to paragraph A7, A8, A9, A10 or A12 (which make provision about the appointment and removal of, numbers of, and payments to, members of the Tribunal);
  - (b) to regulations under paragraph A19, if and to extent that the regulations provide that it does not apply.
- (8) The Valuation Tribunal Service may make payments to the Lord Chancellor in respect of the expenditure incurred by the Lord Chancellor in paying remuneration, allowances or expenses to an FTT member whilst acting as a member of the Tribunal.
- (9) In this paragraph—
- (a) references to an appeal include a review by the Tribunal of a decision made by it on an appeal,
  - (b) “council tax reduction scheme” has the same meaning as in Part 1 of the Local Government Finance Act 1992 (see section 13A(9) of that Act).”

*LGFA 1992*

- 3       The LGFA 1992 is amended as follows.
- 4       In section 10(1) (basic amount payable), for “13” substitute “ 13A ”.
- 5       (1) Section 66 (matters to be questioned only by judicial review) is amended as follows.
- (2) After subsection (2)(b) insert—
- “(ba) a council tax reduction scheme, or any revision of such a scheme;”.
- (3) In subsection (3), for “(b) to (e)” substitute “ (b) or (c) to (e) ”.
- 6       In section 67 (functions to be discharged only by authority), after subsection (2) (a) insert—
- “(aa) making or revising a council tax reduction scheme under section 13A(2);”.
- 7       (1) In Schedule 2 (administration), paragraph 21 (application of Schedule to cases where section 13A applies) is amended as follows.
- (2) For sub-paragraph (1) substitute—
- “(1) This paragraph applies where—
- (a) a billing authority in England or a specified authority (within the meaning of Schedule 1B) in Wales makes a council tax reduction scheme, or
  - (b) a billing authority exercises the power under section 13A(1)(c) by determining a class of case in which liability is to be reduced.”
- (3) In sub-paragraphs (2) and (3), after “Where” insert “ the scheme or ”.

*Local Government Act 2003 (c. 26)*

- 8       The Local Government Act 2003 is amended as follows.
- 9       Omit section 76 (insertion of section 13A of the LGFA 1992).

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- 10            In section 105(2)(aa) (functions of the Valuation Tribunal Service: payments to members of the Valuation Tribunal for England), after “A14” insert “ or A18A(8) ”.

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